

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Richard Fink,

Civil No. 06-3908 (RHK/RLE)

Petitioner,

ORDER

vs.

Joan Fabian, Commissioner of
Corrections, State of Minnesota,

Respondents.

Before the Court are Petitioner's Objections to the October 16, 2007, Report and Recommendation of Chief Magistrate Judge Raymond L. Erickson. Judge Erickson has recommended the dismissal with prejudice of Petitioner's habeas corpus petition.

The Court has reviewed de novo the objected to portions of the Report and Recommendation and is satisfied that Judge Erickson's recommended disposition is fully supported by the factual record before him and controlling legal authorities. Judge Erickson's thorough and well-reasoned Report and Recommendation will be adopted in its entirety.

Accordingly, and upon all the files, records, and proceedings herein, **IT IS**

ORDERED:

1. Petitioner's Objections (Doc. No. 13) are **OVERRULED**;
2. The Report and Recommendation (Doc. No. 12) is **ADOPTED**; and

3. The Petition for Writ of Habeas Corpus (Doc. No. 1) is **DISMISSED WITH PREJUDICE**.

Dated: November 26, 2007

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge